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Wallace Environmental Testing Laboratories, Inc

September 10, 2004

NHTSA-04-19485-1

Petition for Import Eligibility Determination

Administrator
National Highway Traffic Safety Administration
Room 6115
400 7th Street SW.,
Washington, DC 20590

ATTN: NEF-32 Import Eligibility

Petitioner: Wallace Environmental Testing Laboratories, Inc.
2140 Wirtcrest
Houston, Texas 77055-1348
Registered Importer Number R-90-005

Wallace Environmental Testing Laboratories, Inc. (WETL) would like to submit this petition under the provisions set forth in 49 CFR Part 593.

The basis for this petition is a comparison to a substantially similar vehicle which was originally manufactured in the United States for sale in the United States. The comparison vehicle, which was also manufactured in the United States for exportation into Mexico, can be readily modified to conform to all applicable Federal motor vehicle safety standards (FMVSS). Therefore, WETL submits this petition based on the guidelines set forth in 49 CFR 593.6(a).

The vehicle for which this determination is sought was originally manufactured by Daimler Chrysler for Mexico and other foreign markets. The vehicle inspected was a 2004 model year with a vehicle identification number (VIN) of 1J4GL48K84W160417. The model is the Jeep Liberty manufactured by Daimler Chrysler for the 2004 model year. Hereafter this vehicle will be referred to as the MXLiberty.

The vehicle which is substantially similar was also manufactured by Daimler Chrysler for the United States. The model designation for the US production vehicle is also the Jeep Liberty and was produced for the 2004 model year. Hereafter this vehicle will be referred to as the USLiberty.

The USLiberty was certified by Daimler Chrysler pursuant to 49 CFR 567. The vehicle was produced in the US by Daimler Chrysler. Daimler Chrysler sold this vehicle as a 2004 model year and affixed a label to it certifying that it complied with all applicable FMVSS.

It is common practice for vehicle manufacturers to produce substantially similar vehicles for different markets throughout the world. While the vehicles are essentially the same, the differences

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are related to the marketability and or legislation of the different countries. It is important to note that the MXLiberty complies with many FMVSS without any modification. WETL performed a careful evaluation of the MXLiberty and determined the vehicle to be substantially similar to the USLiberty.

In accordance with the requirements of 49 CFR 593.6(a)(5), the remainder of this petition will give data, views, and arguments with respect to each FMVSS which applied to the USLiberty and demonstrate that the MXLiberty was either originally manufactured to conform to such standard, or is capable of being readily modified to conform to such standard. All statements that the MXLiberty complies with the requirements of the standard and is identical to the USLiberty with respect to the standard are based on information obtained during a detailed inspection of the MXLiberty for which this determination is sought. In addition, WETL reviewed all available parts, service, and sales literature in order to thoroughly compare the vehicles.

FMVSS 101

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 102

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 103

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 104

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 106

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 108

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.



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FMVSS 111

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 113

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 114

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard. The MXLiberty has an audible anti-theft system which gongs when the key is left in the ignition module and the driver's door is opened.

FMVSS 116

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 118

The MXLiberty's complies with the requirements of this standard and is identical to the USLiberty with respect to this standard. The window transport mechanism is inoperative when the ignition is switched off and door is opened.

FMVSS 119

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 120

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 124

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.



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FMVSS 135

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 201

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 202

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 204

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 205

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 206

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 207

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 208

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

The MXLiberty is equipped with a safety belt warning system for the driver. The safety belt warning system includes an audible gong and an illuminated dash light.



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It is important to note that the MXLiberty is identical to the USLiberty in all areas related to the passive restraint system.

Both front and rear outboard designated seating positions are factory equipped with Type II seat belts. The driver's and passengers' seating positions comply as equipped from the factory.

Driver and passenger front outboard seating positions are be equipped with US version air bag systems and knee bolsters.

FMVSS 209

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 210

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 212

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 214

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 216

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 219

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.



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FMVSS 225

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

FMVSS 301

The MXLiberty rollover valve is integrated into the fuel module assembly, and is identical to the USLiberty.

FMVSS 302

The MXLiberty complies with the requirements of this standard and is identical to the USLiberty with respect to this standard.

49 CFR Part 541

All vehicles will be inspected prior to importation for compliance with the Theft Prevention Standard and that U.S. model anti-theft devices must be installed on all vehicles lacking that equipment.

49 CFR Part 565

The MXLiberty will require a VIN plate be added to the dash at the A-pillar stating that it is a substitute for US VIN per this standard.

49 CFR Part 567

The MXLiberty will require the addition of a certification label in the driver's door jamb to conform to the requirements of this standard.

I would like to thank you in advance for your consideration in this matter and invite you to contact myself or a member of my staff if you have any questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Les Weaver", is written over a horizontal line.

Les Weaver

Vice President

Wallace Environmental Testing Laboratories, Inc.

DEPARTMENT OF TRANSPORTATION
National Highway Traffic Safety Administration
Docket No. NHTSA-2004-19485

Notice of Receipt of Petition for Decision that Nonconforming
2004 Jeep Liberty Multipurpose Passenger Vehicles Manufactured
for the Mexican Market Are Eligible for Importation

AGENCY: National Highway Traffic Safety Administration, DOT

ACTION: Notice of receipt of petition for decision that nonconforming 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market are eligible for importation.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States because (1) they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards, and (2) they are capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is [30 days after publication in the Federal Register].

ADDRESS: Comments should refer to the docket number and notice number, and be submitted to: Docket Management, Room PL-401,

400 Seventh St., SW, Washington, DC 20590. [Docket hours are from 9 am to 5 pm]. Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the Federal Register published on April 11, 2000 (Volume 65, Number 70; Pages 19477-78) or you may visit <http://dms.dot.gov>.

FOR FURTHER INFORMATION CONTACT: Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202-366-3151).

SUPPLEMENTARY INFORMATION:

Background

Under 49 U.S.C. § 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable Federal motor vehicle safety standards shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable Federal motor vehicle safety standards.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with

NHTSA pursuant to 49 CFR Part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

Wallace Environmental Testing Laboratories, Inc. (WETL) of Houston, TX (Registered Importer 90-005) has petitioned NHTSA to decide whether nonconforming 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market are eligible for importation into the United States. The vehicles which WETL believes are substantially similar are 2004 Jeep Liberty multipurpose passenger vehicles that were manufactured for sale in, the United States and certified by their manufacturer as conforming to all applicable Federal motor vehicle safety standards.

The petitioner claims that it carefully compared non-U.S. certified 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with all applicable Federal motor vehicle safety standards.

WETL submitted information with its petition intended to demonstrate that non-U.S. certified 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market as originally manufactured, conform to all applicable Federal motor vehicle safety standards in the same manner as their U.S. certified counterparts.

Specifically, the petitioner claims that non-U.S. certified 2004 Jeep Liberty multipurpose passenger vehicles manufactured for the Mexican market are identical to their U.S. certified counterparts with respect to compliance with Standard Nos. 101 Controls and Displays, 102 Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking Effect, 103 Windshield Defrosting and Defogging Systems, 104 Windshield Wiping and Washing Systems, 106 Brake Hoses, 108 Lamps, Reflective Devices and Associated Equipment, 111 Rearview Mirrors, 113 Hood Latch System, 114 Theft Protection, 116 Motor Vehicle Brake Fluids, 118 Power-Operated Window, Partition, and Roof Panel Systems, 119 New Pneumatic Tires for Vehicles Other than Passenger Cars, 120 Tire Selection and Rims for Motor Vehicles Other than Passenger Cars, 124 Accelerator Control Systems, 135 Passenger Car Brake Systems, 201 Occupant Protection in Interior Impact, 202 Head Restraints, 204 Steering Control Rearward Displacement, 205 Glazing Materials, 206 Door Locks and Door Retention Components,

207 Seating Systems, 208 Occupant Crash Protection, 209 Seat Belt Assemblies, 210 Seat Belt Assembly Anchorages, 212 Windshield Mounting, 214 Side Impact Protection, 216 Roof Crush Resistance, 219 Windshield Zone Intrusion, 225 Child Restraint Anchorage Systems, 301 Fuel System Integrity, and 302 Flammability of Interior Materials.

The petitioner also states that a vehicle identification plate must be affixed to the vehicles near the left windshield post to meet the requirements of 49 CFR Part 565.

Interested persons are invited to submit comments on the petition described above. Comments should refer to the docket number and be submitted to: Docket Management, Room PL-401, 400 Seventh St., SW, Washington, DC 20590.. [Docket hours are from 9 am to 5 pm]. It is requested but not required that 10 copies be submitted.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on:



Claude H. Harris
Director, Office of Vehicle
Safety Compliance

Billing Code: 4910-59-P